

February 2006

Update: Criminal Procedure Monograph 3—Misdemeanor Arraignments & Pleas (Third Edition)

Part A—Commentary on Misdemeanor Arraignments

3.1 Applicable Court Rules

Effective January 1, 2006, MCR 6.001(B) was amended to limit the scope of MCR 6.102's application in misdemeanor cases. Replace the third bullet on page 3 with the following language:

- MCR 6.102(D) and (F) (arrest on a warrant);*

*Effective
January 1,
2006.

Part A—Commentary on Misdemeanor Arraignments

3.4 Record Requirements

Effective December 27, 2005, 2005 PA 326 repealed MCL 600.8611. Therefore, delete the reference to MCL 600.8611 in the partial paragraph at the top of page 10.

3.5 Arraignment on Arrest by Warrant

A. When Arrest Is Made in Same County Where Charged Offense Occurred

Effective January 1, 2006, MCR 6.006 was amended. Replace the quoted paragraph at the bottom of page 10 with the following text:

“(A) Defendant in the Courtroom or at a Separate Location.

District and circuit courts may use two-way interactive video technology to conduct the following proceedings between a courtroom and a prison, jail, or other location: initial arraignments on the warrant or complaint, arraignments on the information, pretrial conferences, pleas, sentencings for misdemeanor offenses, show cause hearings, waivers and adjournments of extradition, referrals for forensic determination of competency, and waivers and adjournments of preliminary examinations.”

Part B—Commentary on Pleas

3.23 Record Requirements for Plea Proceedings

Effective December 27, 2005, 2005 PA 326 repealed MCL 600.8611. Therefore, on page 41, eliminate the reference to MCL 600.8611 at the end of the first paragraph in this section.